

Docket No.: WINN.020C1

Customer No. 20,995

## INFORMATION DISCLOSURE STATEMENT

Applicant	: Ben Huang
App. No	: 10/827,095
Filed	: April 19, 2004
For	: GOLF CLUB HANDLE GRIP
Examiner	: Stephen Luther Blau
Art Unit	: 3711

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application is a PTO/SB/08 Equivalent listing 14 references to be considered by the Examiner. As provided by 37 C.F.R. § 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the cited references are material to patentability.

In an abundance of caution, Applicant has also pointed the Examiner's attention to a number of commonly owned pending applications.

As Applicant has previously noted, Applicant has litigated a number of different patents including: 5,695,418, 5,797,813, 5,857,929, 6,244,975, 6,843,732, and 6,857,971. These litigations include:

*Lamkin Corp v. Winn, Inc.*, U.S. District Court- Northern District of California (San Jose Division), CV-00-4634-EDL-ADR, involved U.S. Patent No. 5,797,813.

*Winn v. Kelmac*, U.S. District Court- Central District of California (Southern Division- Los Angeles) Civil Docket for Case #: SACV 00-881-AHS (ANx), involved U.S. Patent No. 5,797,813.

*Winn, Inc., et al. v High Cedar, et al.*, U.S. District Court- Central District of California (Southern Division- Santa Ana) Civil Docket for Case #: 8:00-CV-00882 AHS AN, involved

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U.S. Patent No. 5,797,813. The complaint was amended in June of 2001 to include U.S. Patent No. 5,695,418.

*Winn, Incorporated, et al. v Eaton Corporation, et al.*, U.S. District Court- Central District of California (Western Division- Los Angeles) Civil Docket for Case #: 2:03-CV-01568 SJO (PJW), involved U.S. Patent Nos. 5,695,418 and 5,797,813.

*King Par Corp. v Winn Inc.*, U.S. District Court- Eastern District of Michigan (Detroit) Civil Docket for Case #: 2:04-CV-71117 AC WC , involved U.S. Patent Nos. 5,695,418, 5,797,813, and 5,857,929.

*High Cedar Enterprises Co Ltd., et al. v Winn Inc.*, U.S. District Court- Central District of California (Western Division- Los Angeles) Civil Docket for Case #: 2:05-CV-00535 AHS AN, involved U.S. Patent Nos. 5,695,418, 5,797,813, and 6,244,975.

*Winn, Inc., et al. v. Karakal Far East Ltd., et al.*, U.S. District Court for the Central District of California (Southern Division), 8:05-CV-00168 CJC (RNBx), involved U.S. Patent No. 6,843,732.

*Winn, Inc., et al. v. Compogrip USA Corp., et al.*, U.S. District Court for the Central District of California (Southern Division), SACV 06-66 DOC (MLGx), involved U.S. Patent No. 6,857,971.

Applicant previously submitted litigation references to the Examiner pursuant to the Court's interpretation of M.P.E.P. § 2001.06(c) in an unpublished opinion by the Federal Circuit in *Mallinckrodt, Inc. v. Masimo Corp.*, 147 Fed. Appx. 158, 2005 WL 2139867 (Fed. Cir. 2005). Applicant now has further guidance regarding the scope of M.P.E.P. § 2001.06(c). Pursuant to the published opinion of the District Court of Illinois in *Nilssen v. Sylvania, Inc.*, 2006 WL 1891807 at 21 (N.D.Ill.), "[o]ngoing litigation is material if the patent involved in the litigation shares the same specification and discloses the same subject matter as the pending patent." *Id.* Applicant notes that in *Mallinckrodt*, the patents at issue shared a common specification. Rather than limiting the disclosure of litigation documents to cases which share a specification, as discussed in *Nilssen*, however, in an abundance of caution Applicant intends to provide the Examiner with litigation documents when the pending application claims priority from the application which matured into the litigated patent.

The present application claims priority to none of the patents involved in Applicant's litigations, past or present. Accordingly, Applicant has not resubmitted any of the docket sheets

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for the above listed litigations. If the Examiner so requests, Applicant can provide the Examiner with updated docket sheets from these litigations and/or copies of any documents from these litigations.

The Applicant thanks the Examiner for his attention to the Applicant's previously submitted references. Should the Examiner have any questions regarding any of these documents, the Examiner is earnestly invited to contact the Applicant's attorney, Edward A. Schlatter at the number below.

This Information Disclosure Statement is being filed before the mailing date of a final action and before the mailing of a Notice of Allowance. This Statement is accompanied by the fees set forth in 37 C.F.R. § 1.17(p). The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 12, 2006\_\_\_\_\_

By\_\_\_\_\_

Edward A. Schlatter  
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Attorney of Record  
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## BEST AVAILABLE COPY

PTO/SB/08 Equivalent

<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>	Application No.	10/827,095	
	Filing Date	April 19, 2004	
	First Named Inventor	Ben Huang	
	Art Unit	3711	
(Multiple sheets used when necessary)		Examiner	Stephen Luther Blau
SHEET 1 OF 1		Attorney Docket No.	WINN.020C1

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
	1	3,087,729	04-30-1963	Sullivan	
	2	4,015,851	04-05-1977	Pennell	
	3	5,867,868	02-09-1999	Ward	
	4	6,197,392	03-06-2001	Jones	
	5	6,709,346	03-23-2004	Wang	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>1</sup>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>1</sup>
	6	U.S. Application No. 11/412,196, filed 4/25/2006	
	7	U.S. Application No. 11/416,364, filed 5/1/2006	
	8	U.S. Application No. 11/413,411, filed 4/28/2006	
	9	U.S. Application No. 11/438,808, filed 5/22/2006	
	10	U.S. Application No. 11/417,643, filed 5/3/2006	
	11	U.S. Application No. 11/417,696, filed 5/3/2006	
	12	U.S. Application No. 11/417,623, filed 5/3/2006	
	13	U.S. Application No. 11/417,555, filed 5/3/2006	
	14	U.S. Application No. 11/417,401, filed 5/3/2006	

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Examiner Signature	Date Considered
<p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	

T<sup>1</sup> - Place a check mark in this area when an English language Translation is attached.